

P&G Case AA555C *IFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

HISATOSHI (NMN) MASUDA et al.

: Confirmation No. 1912

Serial No. 10/740,254

: Group Art Unit 1616

Filed December 18, 2003

: Examiner

For PERSONAL CARE COMPOSITION COMPRISING HYDROPHOBIC GEL

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind; and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. **37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. 37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

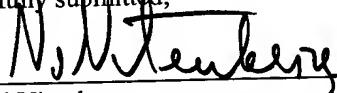
(1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

(2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

Respectfully submitted,

By



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Attorney for Applicants
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Date: 9.22.04
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(IDS.doc) (Last Revised 10/10/03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 1

COMPLETE IF KNOWN

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|------------------------|---------------------------|
| Application Number | 10/740,254 |
| Confirmation Number | 1912 |
| Filing Date | December 18, 2003 |
| First Named Inventor | HISATOSHI (NMN) MASUDA |
| Group Art Unit | 1616 |
| Examiner Name | |
| Attorney Docket Number | AA555C |

U. S. PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. ¹ | DOCUMENT NUMBER Number - Kind Code ² (if known) | PUBLICATION DATE MM-DD-YYYY | NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT | PAGES, COLUMNS, LINES WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR |
|--------------------|-----------------------|---|--------------------------------|--|--|
| | 01 | US-5587149 A | 12/24/1996 | Punto et al. | |
| | 02 | US-6241976 B1 | 06-05-2001 | Esser et al. | |
| | 03 | US-6248336 B1 | 06-19-2001 | McDermott | |
| | 04 | US-6361783 B2 | 03-26-2002 | Moaddel et al. | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS* | CITE NO. ¹ | FOREIGN PATENT DOCUMENT COUNTRY CODE ³ NUMBER ⁴ KIND CODE ⁵ (IF KNOWN) | PUBLICATION DATE MM-DD-YYYY | NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT | PAGES, COLUMNS, LINES WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR | T ⁶ |
|--------------------|-----------------------|--|--------------------------------|--|--|----------------|
| | 05 | EP 1040821 | 10-04-2000 | L'Oreal | | |
| | 06 | WO 0018357 | 04-06-2000 | Henkel | | |
| | 07 | WO 00/61094 | 10-19-2000 | Unilever | | |
| | 08 | WO 01/12137 | 02-22-2001 | The Procter & Gamble Co. | | |
| | 09 | WO 01/12138 | 02-22-2001 | The Procter & Gamble Co. | | |
| | 10 | WO 01/12139 | 02-22-2001 | The Procter & Gamble Co. | | |
| | 11 | WO 01/12152 | 02/22/2001 | The Procter & Gamble Co. | | |
| | 12 | WO 03/000223 A1 | 01/03/2003 | The Procter & Gamble Co. | | |
| | 13 | WO 96/24325 | 08/15/1996 | R. P. Scherer | | |
| | 14 | WO 96-36308 | 11/21/1996 | The Procter & Gamble Co. | | |
| | 15 | WO 9947111 | 09-23-1999 | L'Oreal | | |
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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter the Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete; including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.